

(i) Conduct market research appropriate to the circumstances before—

(A) Soliciting offers for acquisitions that could lead to a consolidation of contract requirements as defined in 207.170-2; or

(B) Issuing a solicitation with tiered evaluation of offers (Section 816 of Public Law 109-163); and

(ii) Use the results of market research to determine—

(A) Whether consolidation of contract requirements is necessary and justified in accordance with §207.170-3; or

(B) Whether the criteria in FAR part 19 are met for setting aside the acquisition for small business or, for a task or delivery order, whether there are a sufficient number of qualified small business concerns available to justify limiting competition under the terms of the contract. If the contracting officer cannot determine whether the criteria are met, the contracting officer shall include a written explanation in the contract file as to why such a determination could not be made (Section 816 of Public Law 109-163).

(c)(2) In addition to the notification requirements at FAR 10.001(c)(2)(i) and (ii), see 205.205-70 for the bundling notification publication requirement.

[71 FR 53043, Sept. 8, 2006, as amended at 75 FR 40716, ≤July 13, 2010]

**PART 211—DESCRIBING AGENCY NEEDS**

Sec.  
211.002 Policy.  
211.002-70 Contract clause.

**Subpart 211.1—Selecting and Developing Requirements Documents**

211.105 Items peculiar to one manufacturer.  
211.106 Purchase descriptions for service contracts.  
211.107 Solicitation provision.

**Subpart 211.2—Using and Maintaining Requirements Documents**

211.201 Identification and availability of specifications.  
211.204 Solicitation provisions and contract clauses.  
211.270 [Reserved]  
211.271 Elimination of use of class I ozone-depleting substances.

211.272 Alternate preservation, packaging, and packing.  
211.273 Substitutions for military or Federal specifications and standards.  
211.273-1 Definition.  
211.273-2 Policy.  
211.273-3 Procedures.  
211.273-4 Contract clause.  
211.274 Item identification and valuation requirements.  
211.274-1 General.  
211.274-2 Policy for unique item identification.  
211.274-3 Policy for valuation.  
211.274-4 Policy for reporting of Government-furnished equipment in the DoD Item Unique Identification (IUID) Registry.  
211.274-5 Policy for assignment of Government-assigned serial numbers.  
211.274-6 Contract clauses.  
211.275 Radio frequency identification.  
211.275-1 Definitions.  
211.275-2 Policy.  
211.275-3 Contract clause.

**Subpart 211.5—Liquidated Damages**

211.503 Contract clauses.

**Subpart 211.6—Priorities and Allocations**

211.602 General.

AUTHORITY: 41 U.S.C. 421 and 48 CFR Chapter 1.

SOURCE: 60 FR 61594, Nov. 30, 1995, unless otherwise noted.

**211.002 Policy.**

All defense technology and acquisition programs in DoD are subject to the policies and procedures in DoDD 5000.1, The Defense Acquisition System, and DoDI 5000.2, Operation of the Defense Acquisition System.

[71 FR 27641, May 12, 2006]

**211.002-70 Contract clause.**

Use the clause at 252.211-7000, Acquisition Streamlining, in all

**Subpart 211.1—Selecting and Developing Requirements Documents**

**211.105 Items peculiar to one manufacturer.**

Follow the publication requirements at PGI 211.105.

[70 FR 23804, May 5, 2005]